UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE LOWER MANHATTAN DISASTER SITE LITIGATION

THIS DOCUMENT APPLIES TO ALL LOWER MANHATTAN DISASTER SITE LITIGATION

21 MC 103 (AKH)

STIPULATION OF DISCONTINUANCE AND COURT ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the parties to the actions listed in "Schedule A" attached hereto, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-entitled actions be, and the same hereby are discontinued without prejudice as against THE BANK OF NEW YORK MELLON CORPORATION, As Successor To THE BANK OF NEW YORK COMPANY, INC., THE BANK OF NEW YORK, ONE WALL STREET HOLDINGS LLC, 4101 AUSTIN BLVD CORPORATION and THE BANK OF NEW YORK TRUST COMPANY, N.A., and as to the 130 Liberty Street locations only, without costs to either party as against the other.

IT IS FURTHER STIPULATED AND AGREED, that should evidence be discovered throughout the course of the litigation which determines that THE BANK OF NEW YORK MELLON CORPORATION, As Successor To THE BANK OF NEW YORK COMPANY, INC., THE BANK OF NEW YORK, ONE WALL STREET HOLDINGS LLC, 4101 AUSTIN BLVD CORPORATION and THE BANK OF NEW YORK TRUST COMPANY, N.A., is a proper party to these suits, plaintiff may reinstitute these actions without regards to the applicable statute of limitations as a defense.

This stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York May 13, 2008

SEGAL McCAMBRIDGE SINGER & MAHONEY, LTD.
Attorneys for The Bank of New York Mellon Corporation, as Successor to The Bank of New York Company, Inc., The Bank of New York,
One Wall Street Holdings LLC
4101 Austin Blvd. Corporation,
The Bank of New York
Trust Company, N.A.

WORBY GRONER EDELMAN & NAPOLI BERN
Attorneys for Plaintiff

By: Christian H. Gannon (CG-1621) 830 Third Avenue, Suite 400 New York, New York 10022 (212) 651-7500

By: Christopher R. Lopalo, Esq. (CL-6466) 115 Broadway, 12th Floor New York, New York 10006 (212) 267-3700

SO ORDERED:

HON. ALVIN K. HELLERSTEIN

SCHEDULE A

STIPULATION AND ORDER OF DISMISSAL RELATED TO 130 LIBERTY STREET COMPLAINTS FOR THE FOLLOWING PLAINTIFFS:

Plaintiff Name Index # All (AKF All (A	I)
1 Stephen Addeo 06CV9963 2 Kleber Arteaga 08CV02253 3 Sixto Aviles 08CV02254 4 Rodrigo Barros 08CV02255 5 Maria Castro 08CV02257	3 5 7
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5 Maria Castro 08CV02257	3
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6 Joel Chaico 08C V02238	
- M. : I OL: 0000100056	,
7 Maria I. Chique 08CV02259	
8 Sarbelia Coballes 08CV02261	
9 Aracelly Cuervo 08CV02262	
10 Belkis Delacruz 08CV02263	
11 Emilsen Delgado 08CV02264	
12 Margarita Dominguez 08CV02265	
13 Tailor Dominguez 08CV02266	
14 Piotr Fiedziukiewicz 08CV02268	
15 Lizeth Garcia 08CV02270)
16 Robert Glancy, Jr. 06CV14689)
17 Manuel C. Gomez 08CV02271	
18 David Guszick 07CV05411	
19 Salma P. Guzman 08CV02273	3
20 Jaime Hernandez 08CV02274	
21 Tercida Hernandez 08CV02275	
22 William Hightower 08CV02276	5
23 Luis C. Jordan 08CV02277	7
24 Janusz Karpiuk 08CV02327	,
25 Labomir Kmec 08CV02278	
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27 Michael Labate 06CV8441	
28 Maria Lluguay 08CV02280)
29 Angel Lopez 08CV02281	
30 Antonio Lopez 07CV05436	<i>.</i>
31 Jamie D. Lopez 08CV02282	
32 Rolando Lopez 08CV02283	
33 Henry Lozano 08CV02284	
34 Ligia Luengas 08CV02285	
35 Pedro Macias 08CV02286	
36 Gloria Marrero 08CV02287	
37 Joffre Martinez 08CV02288	
38 Margarita Mattei 08CV02289)